

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

ANTONIO SMITH,

Petitioner

VS.

BALDWIN COUNTY,

Respondent

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NO. 5:10-CV-404 (MTT)

ORDER

Petitioner **ANTONIO SMITH**, an inmate at the Bleckley Probation Detention Center in Cochran, Georgia, filed a document titled “Motion for Actual Time Served.” In this motion, petitioner complained that he was not given credit for the time he served in the Baldwin County Jail prior to his probation revocation and transfer to the Bleckley Probation Detention Center.

The Court construed petitioner’s motion as a habeas corpus action brought pursuant to 28 U.S.C. § 2241. In an order dated November 1, 2010, the Court informed petitioner that he had to complete the required habeas corpus form and pay the \$5.00 filing or, if unable to pay the fee, submit an application to proceed *in forma pauperis*. The Court gave petitioner twenty-one (21) days from the November 1st order to submit the necessary paperwork and informed petitioner that failure to do so would result in immediate dismissal of his action.

Petitioner has failed to respond to the Court’s November 1, 2010 order. Because of his failure to comply with the Court’s instructions, petitioner’s action is hereby **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED, this 7th day of December, 2010.

s/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT